

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

ACE FIRE UNDERWRITERS INSURANCE
COMPANY,

Plaintiff,

v.

Case No. 1:12-cv-01129 KG/RHS

DAVE ROMERO, JR. as Personal Representative
of the Wrongful Death Proceedings of
JOSE A. (Felix) CHAVEZ, Deceased;
ISABEL CHAVEZ, individually,
BRANDON CHAVEZ, individually
LUIS GUTIERREZ, individually, and
TIFFANY FISHER, individually,

Defendants.

and

DAVE ROMERO, JR. as Personal Representative
of the Wrongful Death Proceedings of
JOSE A. (Felix) CHAVEZ, Deceased;
ISABEL CHAVEZ, individually,
BRANDON CHAVEZ, individually
LUIS GUTIERREZ, individually, and
TIFFANY FISHER, individually,

Counter-Plaintiffs,

v.

ACE FIRE UNDERWRITERS INSURANCE
COMPANY,

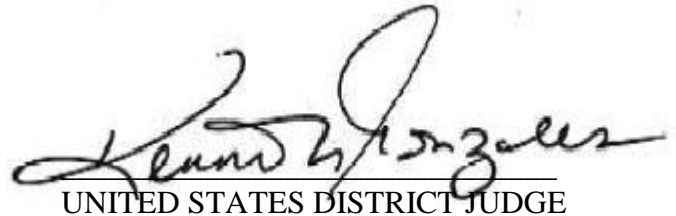
Counter-Defendant.

ORDER

On May 6, 2014, Plaintiff Ace Fire Underwriters Insurance Company filed a Rule 26(D) Motion [to] Stay Enforcement of the April 9, 2014 Judgment and For Waiver of *Supersedeas* Bond Requirement (Motion to Stay Enforcement). (Doc. 49). Defendants did not file a response. Previously, on April 9, 2014, the Court granted summary judgment in favor of

Defendants. (Doc. 37). Plaintiff subsequently appealed the Court's April 9, 2014, ruling to the Tenth Circuit Court of Appeals. (Doc. 46). On June 10, 2014, the Court granted, in part, Plaintiff's Motion to Stay Enforcement and entered an order waiving Plaintiff's obligation to post a *supersedeas* bond. (Doc. 50). Having waived Plaintiff's obligation to post a *supersedeas* bond, the Court now grants Plaintiff's Motion to Stay Enforcement. *See* Fed. R. Civ. P. 62(d) (providing that if appeal is taken, appellant may obtain stay of execution of judgment by *supersedeas* bond).

IT IS ORDERED that Plaintiff's Motion to Stay Enforcement (Doc. 49) is granted, and the Court stays execution of the Court's April 9, 2014, ruling pending the outcome of Plaintiff's appeal to the Tenth Circuit Court of Appeals.



UNITED STATES DISTRICT JUDGE